

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

NO. 7:24-CR-33-FL-BM

FILED IN OPEN COURT
ON 3-27-2024 BG
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

UNITED STATES OF AMERICA,)

v.)

SHAWN TOBIN LOCKLEAR, JR.)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

On or about September 28, 2023, in the Eastern District of North Carolina, the defendant, SHAWN TOBIN LOCKLEAR, JR., did knowingly and intentionally possess with the intent to distribute a quantity of marijuana, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWO

On or about September 28, 2023, in the Eastern District of North Carolina, the defendant, SHAWN TOBIN LOCKLEAR JR., knowingly possessed a firearm, to wit: a machine gun, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, as alleged in Count One of this Indictment, in violation of Title 18, United States Code, Section 924 (c)(1)(B)(ii).

COUNT THREE

On or about September 28, 2023, in the Eastern District of North Carolina, the defendant, SHAWN TOBIN LOCKLEAR, JR., did knowingly possess a machinegun, in violation of Title 18, United States Code, Sections 922(o) and 924.

COUNT FOUR

On or about November 7, 2023, in the Eastern District of North Carolina, the defendant, SHAWN TOBIN LOCKLEAR, JR., took a motor vehicle, a 2022 Ford Explorer Passenger vehicle, that had been transported, shipped and received in interstate commerce from J.W. and K.L., by force, violence, and intimidation, resulting in serious bodily injury, in violation of Title 18, United States Code, Section 2119(2).

COUNT FIVE

On or about November 7, 2023, in the Eastern District of North Carolina, the defendant, SHAWN TOBIN LOCKLEAR JR., during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, as charged in Count Four of this Indictment, did knowingly use and carry a firearm, and did possess said firearm in furtherance of said crime of violence, and said firearm was discharged, all in violation of Title 18, United States Code, Section 924(c)(1)(A)(iii).

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FORFEITURE NOTICE

Notice is hereby given that all right, title and interest in the property described herein is subject to forfeiture.

Upon conviction of any felony violation of the Controlled Substances Act charged herein, the defendant shall forfeit to the United States, pursuant to 21 U.S.C. § 853(a), any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the said offense, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said offense.

Upon conviction of any violation of the Gun Control Act, the National Firearms Act, or any other offense charged herein that involved or was perpetrated in whole or in part by the use of firearms or ammunition, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and/or 26 U.S.C. § 5872, as made applicable by 28 U.S.C. § 2461(c), any and all firearms and ammunition that were involved in or used in a knowing or willful commission of the offense, or that were intended to be used in any offense identified in 18 U.S.C. § 924(d)(3), or, pursuant to 18 U.S.C. § 3665, that were found in the possession or under the immediate control of the defendant at the time of arrest.

The forfeitable property includes, but is not limited to, the following:

Personal Property:

- a. Ruger, Model AR, 5.56mm rifle, bearing serial number 1850-10872 recovered on September 28, 2023, from SHAWN TOBIN LOCKLEAR, JR.'s 1997 Chevy Tahoe.
- b. Mini Micro Draco, Model Draco, 7.62x39mm pistol, bearing serial number 35809 recovered on September 28, 2023, from SHAWN TOBIN

- LOCKLEAR, JR.'s 1997 Chevy Tahoe.
- c. Browning, Model UNK, 6mm pistol, bearing serial number 194612 recovered on September 28, 2023, from SHAWN TOBIN LOCKLEAR, JR.'s 1997 Chevy Tahoe.
 - d. Glock, 42, .380-caliber pistol, bearing serial number AFHC713 recovered on September 28, 2023, from SHAWN TOBIN LOCKLEAR, JR.'s 1997 Chevy Tahoe.
 - e. Glock, Model 19, 9mm pistol, bearing serial number BSCN593. Recovered on September 28, 2023, from SHAWN TOBIN LOCKLEAR, JR.'s 1997 Chevy Tahoe.

If any of the above-described forfeitable property, as a result of any act or omission of a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

3/27/2024
DATE

MICHAEL F. EASLEY, JR.
United States Attorney


BY: Ashley H. Fox
Assistant United States Attorney